

TRUSTEE'S CONFIRMATION REPORT –4/24/17

DEBTOR: Helen M. Hale
ATTORNEY: William Sedor, Esq.

CASE NO.: 16-21101-PRW
ATTORNEY FEES: \$2,750
Additional Attorney Fees: \$

I. TRUSTEE RECOMMENDATION: _____ Plan Recommended X Plan Not Recommended

II. PLAN FILED DATE: 10/13/16 and as by amendment to plan filed 3/31/17 (ECF BK Nos. 14, 34)

A. PAYMENTS: \$ 800 per monthly voluntarily

B. REPAYMENT:

To secured creditors \$23,884 with interest \$ 31,383

To priority creditors \$0

To unsecured creditors \$1,436 100 %

General unsecured debt \$1,436

Duration of Plan 5 years

Total Scheduled Debt \$109,001 incl. mortgages

C. FEASIBILITY:

Monthly Income \$3,613 (net) \$ 4,135 (gross)

Less Estimated Expenses \$2,845

Excess for Wage Plan \$768

D. OBJECTIONS to Confirmation:

Select Portfolio Servicing, Inc. –The plan does not address
their arrearage proof of claim. ECF BK No. 29.

New York State Taxation – See objection. ECF BK No. 19.

Trustee –

Ms. Hale must address the objections filed by Select
Portfolio and New York State Taxation & Finance.

E. Other comments:

☐ risk factor 3 because of prior bankruptcies

☐ need judgments removed

☐ need appraisals of real estate and personal property

☐ need certification of post petition DSO payments.

☒ other: The above figures assumes payment of the secured claims as filed with their proper rates of interest.

☐ need mortgages eliminated

☐ need motions to value collateral

☐ need proof of surrender efforts

III. TREATMENT OF SECURED CLAIMS/LEASE ARREARS: [Interest rate unless otherwise stated: %]

<u>Creditor</u>	<u>Amt of Claim</u>	<u>Security Claimed</u>	<u>Perfected</u>	<u>Plan Treatment</u>	<u>Monthly Pmt</u>
Select Portfolio	\$84,175.92	Mtg. Arrears	Yes	\$9,292 + 0% (POC: \$19,984.35)	\$155
ATF	\$12,642.44	R/P Taxes	Yes	Full + 18%	\$322
NYS Dept. of Tax	\$9,231.95	Warrant	03/11/16	\$2,000	\$34

IV. SPECIAL PLAN PROVISIONS:

A. CLASSIFICATION of unsecured creditors: *Not applicable*

Class 1:	%	\$
Class 2:	%	\$
Class 3	%	\$

B. Rejection of executory contracts:

C. Other Plan Provisions:

V. BEST INTEREST TEST:

A. All assets were listed.

B.	Total market value of assets:	\$ 34,713
	Less valid liens	\$ 26,273
	Less exempt property (Available for judgment liens)	\$ 6,865
	Subtotal	\$ 1,575
	Less est. Chapter 7 fees	\$ 394
C.	Total available in liquidation	\$ 1,181
D.	Best interests including present value	\$ 1,329
	Less priority claims (Support \$)	\$ 0
E.	Amount due to unsecured	\$ 1,329
F.	Amount to be distributed to unsecured creditors	\$ 1,436
G.	Nature of major non-exempt assets:	

VI. OTHER:

- A. Debtor(s) states that the plan is proposed in good faith with intent to comply with the law.
- B. Debtor(s) states that to the best of its knowledge there are no circumstances that would affect the ability to make the payments under the plan.
- C. (If a business) The Trustee has investigated matters before him relative to the condition of debtor's business, and has not discovered any actionable causes concerning fraud, dishonesty, incompetence, misconduct, mismanagement or irregularities in managing said business.
- D. Debtor requests no wage order because: _____ disability or retirement, _____ self employed, _____ risk of job loss, _____ other
- E. Converted from Chapter 7 because: Non Applicable.

/S/ _____
GEORGE M. REIBER, TRUSTEE